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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,792	12/29/2003	Naveen Aerrabotu	CS23057RL	6422
20280	7590	10/14/2005	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			HOANG, THAI D	
			ART UNIT	PAPER NUMBER
			2668	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/747,792	AERRABOTU ET AL.
	Examiner	Art Unit
	Thai D. Hoang	2668

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 August 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7,9-24,26-36 is/are rejected.
- 7) Claim(s) 8 and 25 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

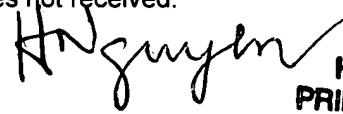
#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
HANH NGUYEN  
PRIMARY EXAMINER

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-24 and 26-36 are rejected under 35 U.S.C. 102(b) as being unpatentable by Vainio et al, US Patent No. 6,577,721 B1, hereafter referred to as Vainio.

Regarding claims 1, 5, 10, 13-14, 22, 27 and 31 Vainio discloses a method and system called “Conference call”. Vainio discloses the method comprises a process for setting up a conference call where the calling party is using a radiotelephone is as follows:

The radiotelephone transmits to the network the telephone number that it wants to call. If the called party is not busy, the calling radiotelephone is alerted and the connection is established when the called telephone is brought off the hook (i.e. is answered). Once this call has been established, the calling party, via the radiotelephone, requests the telecommunication network to put this call on hold; col. 3, lines 33-44 (establishing a connection with a first party; and transmitting a flash with information message on a reverse link signaling channel, the flash with information message including a connection control information record that controls a connection status of the connected first party).

Regarding claims 2 and 19, the step of requesting for setting up a conference in the method disclosed by Vainio inherently comprises multi-user connection information because it is a telephone conference (wherein the connection control information record comprises a multi-party connection control information record).

Regarding claims 3, 15, 20 and 32, in the setup process, Vainio discloses when a first call has been established between the calling party and the first called party, the calling party, via the radiotelephone, requests the telecommunication network to put this call on hold, col. 3, lines 43-44, col. 4, lines 57-58 (wherein the connection status includes one of a party audio mute status, a party hold status, a party active status, and a party disconnect status).

Regarding claims 4, 16, 21 and 33, Vainio discloses the calling party uses member identification number stored in the memory for setting the conference, col. 3, line 64-col. 4, line 6 (wherein the connection control information record includes a connection reference field having a unique identifier assigned to the first party).

Regarding claims 6 and 23, Vainio discloses the first connection is maintained while establishing the second connection with the second called party; col. 3, lines 42-49, col. 5, lines 10-19 (establishing a connection with a second party while maintaining the connection with the first party).

Regarding claims 7 and 34, Vainio discloses that the connection for the conference call group is established for each of conference call participants. Therefore, it holds the second party while establishing a connection with the first conference call participant, col. 3, line 62 – col. 4, line 39 (wherein transmitting the flash with information

message further comprises transmitting the flash with information message on the reverse link signaling channel to place the second party on hold while activating a status of the first party).

Regarding claims 9 and 26, Vainio discloses that the connection for the conference call group is established for each of conference call participants. Therefore, it activates a status of the first party while maintaining an active status of the second party, col. 3, line 62 – col. 4, line 39 (wherein transmitting the flash with information message further comprises transmitting the flash with information message on the reverse link signaling channel to place the second party on hold while activating a status of the first party).

Regarding claims 11 and 28, Vainio discloses the calling party and a base station exchange information to set up a conference, col. 3, lines 29-50, col. 4, line 52 - col. 5, line 23, col. 5, line 49 - col. 6, line 12 (wherein the reverse dedicated signaling channel comprises a communication path that exists between a specific mobile station and a base station for the exchange of control information from the specific mobile station to the base station).

Regarding claims 12 and 29, as best understood, Vainio discloses that the connection for the conference call group is established for each of conference call participants. Therefore, the exchanged information between the calling party and the system inherently comprises information of all of conference call participants.

Regarding claims 18, 30 and 35, Vainio discloses the system (fig. 1) comprises: a transmitter 8 and a receiver 9 (a transceiver);

a controller 11 coupled to the transmitter 8 and the receiver 9 to control for establishing connections with a plurality of conference call participants. The controller generates messages, which is transmitted on a signaling channel, to control connection between all of conference call participants, col. 3, lines 29-50, col. 4, line 52 - col. 5, line 23, col. 5, line 49 - col. 6, line 12 (a controller coupled to the transceiver, the controller configured to establish a connection with a first party via the transceiver; a flash with information message generation module configured to generate a flash with information message including a connection control information record that controls a connection status of the connected first party, wherein the controller is further configured to transmit flash with information message on a reverse link signaling channel via the transceiver);

a memory 12 coupled to the controller 11 for storing conference call participant identifiers, col. 3, line 62 – col. 4, line 23, col. 5, lines 45-65 (a party identifier storage module configured to store a party identifier associated with the first party).

#### ***Allowable Subject Matter***

Claims 8 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant's arguments filed 08/05/2005 have been fully considered but they are not persuasive.

Regarding claim 1, 13, 18, 30 and 35, page 11, lines 16-19 of the remarks, Applicants argue "Vainio does not disclose transmitting a flash with information

message including a connection control information record that controls a connection status of the connected first party, as recited in independent claim 1, and similarly recited in independent claims 13, 18, 30, and 35." Examiner respectfully disagrees.

Page 4, lines 15-19, the specification discloses:

*"The flash with information message generation module 292 can be configured to generate a flash with information message including a connection control information record that controls a connection status of the connected first party 140. The connection status can include a party audio mute status, a party hold status, a party active status, a party disconnect status, and/or any other useful connection status."* (Emphasis added)

The reference in col. 3, lines 41-43 discloses:

*"Once this call (i.e. first call) has been established, the calling party, via the radiotelephone, requests the telecommunication network to put this call on hold."*

and col. 4, lines 55-60:

*"When the control means 11 receives a signal from the telecommunication network 18 that the first call has been established the control means 11 instructs the telecommunication network 18 to place this call on hold. This process is controlled by the control means 11 without any need for manual intervention."*

Thus, the reference clearly teaches this limitation.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Chieh can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang



HANH NGUYEN  
PRIMARY EXAMINER